



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2021-0822; Airspace Docket No. 21-AGL-1]

RIN 2120-AA66

Amendment of VOR Federal Airways V-214, V-285, and V-305, and Revocation of V-96 in the Vicinity of Kokomo, IN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends VHF Omnidirectional Range (VOR) Federal airways V-214, V-285, and V-305, and revokes V-96. The FAA is taking this action due to the planned decommissioning of the VOR portion of the Kokomo, IN, VOR/Tactical Air Navigation (VORTAC) navigational aid (NAVAID). The Kokomo VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Effective date 0901 UTC, April 20, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking (NPRM) for Docket No. FAA-2021-0822 in the *Federal Register* (86 FR 60421; November 2, 2021), amending VOR Federal airways V-214, V-285, and V-305, and revoking V-96. The proposed amendment and revocation actions were due to the planned decommissioning of the VOR portion of the Kokomo, IN, VORTAC NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

VOR Federal airways are published in paragraph 6010(a) of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airways listed in this document will be published subsequently in FAA Order JO 7400.11.

Differences from the NPRM

Subsequent to the NPRM, the FAA published a rule for Docket No. FAA-2021-1030 in the *Federal Register* (87 FR 29039; May 12, 2022), amending VOR Federal airway V-305 by removing the airway segment between the Walnut Ridge, AR, VORTAC and the Cunningham,

KY, VOR/Distance Measuring Equipment (VOR/DME). That airway amendment, effective July 14, 2022, is included in this rule.

Also subsequent to the NPRM, the FAA published a rule for Docket No. FAA-2021-0972 in the *Federal Register* (87 FR 38913; June 30, 2022), amending VOR Federal airway V-285 by removing the airway segment between the Victory, MI, VOR/DME and the White Cloud, MI, VOR/DME. That airway amendment, effective September 8, 2022, is also included in this rule.

Additionally, subsequent to the NPRM, the FAA published a rule for Docket No. FAA-2022-0646 in the *Federal Register* (87 FR 54878; September 8, 2022), amending VOR Federal airway V-214 by removing the airway segment between the Martinsburg, WV, VORTAC and the Teterboro, NY, VOR/DME. That airway amendment, effective November 3, 2022, is also included in this rule.

Lastly, in the NPRM, the FAA erroneously stated that, although the VOR portion of the Kokomo VORTAC was planned for decommissioning, the co-located DME would be retained. The DME will be decommissioned; however, the co-located Tactical Air Navigation (TACAN) is being retained to provide navigational service for military operations and DME service in support of current and future Next Generation Air Transportation System Performance Based Navigation procedures. This does not affect the changes to the airways in this rule.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the ADDRESSES section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by modifying VOR Federal airways V-214, V-285, and V-305, and removing VOR Federal airway V-96 due to the planned decommissioning of the Kokomo, IN, VOR NAVAID. The VOR Federal airway actions are described below.

V-96: V-96 extends between the Brickyard, IN, VORTAC and the intersection of the Fort Wayne, IN, VORTAC 071° and Flag City, OH, VORTAC 289° radials (TWERP fix). The airway is removed in its entirety.

V-214: V-214 extends between the Kokomo, IN, VORTAC and the Muncie, IN, VOR/DME; and between the intersection of the Appleton, OH, VORTAC 236° and Zanesville, OH, VOR/DME 274° radials (GLOOM fix) and the Bellaire, OH, VOR/DME. The airway segment between the Kokomo, IN, VORTAC and the Muncie, IN, VOR/DME is removed. As amended, the airway is changed to extend between the intersection of the Appleton VORTAC 236° and Zanesville VOR/DME 274° radials (GLOOM Fix) and the Bellaire VOR/DME.

V-285: V-285 extends between the Brickyard, IN, VORTAC and the Victory, MI, VOR/DME. The airway segment between the Brickyard, IN, VORTAC and Goshen, IN, VORTAC is removed. As amended, the airway is changed to extend between the Goshen VORTAC and the Victory VOR/DME.

V-305: V-305 extends between the El Dorado, AR, VOR/DME and the Walnut Ridge, AR, VORTAC; and between the Cunningham, KY, VOR/DME and the Kokomo, IN, VORTAC. The airway segment between the Brickyard, IN, VORTAC and Kokomo, IN, VORTAC is removed. As amended, the airway is changed to extend between the El Dorado VOR/DME and the Walnut Ridge VORTAC and between the Cunningham VOR/DME and the Brickyard VORTAC.

All NAVAID radials listed in the VOR Federal airway descriptions below are unchanged and stated in True degrees.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of modifying VOR Federal airways V-214, V-285, and V-305, and revoking V-96, due to the planned decommissioning of the VOR portion of the Kokomo, IN, VORTAC NAVAID, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points) and paragraph 5-6.5k, which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may

have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6010(a). Domestic VOR Federal Airways.

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V-96 [Removed]

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V-214 [Amended]

From INT Appleton, OH, 236° and Zanesville, OH, 274° radials; Zanesville; to Bellaire, OH.

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V-285 [Amended]

From Goshen, IN; INT Goshen 038° and Kalamazoo, MI, 191° radials; Kalamazoo; INT Kalamazoo 014° and Victory, MI, 167° radials; to Victory.

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V-305 [Amended]

From El Dorado, AR; Little Rock, AR; to Walnut Ridge, AR. From Cunningham, KY; Pocket City, IN; INT Pocket City 046° and Hoosier, IN, 205° radials; Hoosier; INT Hoosier 025° and Brickyard, IN, 185° radials; to Brickyard.

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Issued in Washington, DC, on January 11, 2023.

Brian Konie,
Acting Manager, Airspace Rules and Regulations.
[FR Doc. 2023-00823 Filed: 1/17/2023 8:45 am; Publication Date: 1/18/2023]